

Factor, 41829 Albrae St, Ste 111, Fremont, CA 94538 (reference: 1505 Corporation, 1280).

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, 35 U.S.C. § 271 et seq. Plaintiff is seeking damages, as well as attorney fees and costs.

4. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents).

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. Upon information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in the District.

7. Venue is proper in this District under 28 U.S.C. §1400(b) because Defendant is deemed to be a resident in this District. Alternatively, acts of infringement are occurring in this District, and Defendant has a regular and established place of business in this District.

BACKGROUND

8. On October 7, 2014, the United States Patent and Trademark Office ("USPTO") duly and legally issued the '221 Patent, entitled "System and Method for Storing Broadcast Content in a Cloud-Based Computing Environment" after the USPTO completed a full and fair examination. The '221 Patent is attached as Exhibit A.

9. Rothschild Broadcast Distribution Systems is currently the owner of the '221 Patent.

10. Rothschild Broadcast Distribution Systems possesses all rights of recovery under the '221 Patent, including the exclusive right to recover for past, present and future infringement.

11. The '221 Patent contains thirteen claims including two independent claims (claims 1 and 7) and eleven dependent claims.

COUNT ONE

(Infringement of United States Patent No. 8,856,221)

12. Plaintiff refers to and incorporates the allegations in Paragraphs 1 - 11, the same as if set forth herein.

13. This cause of action arises under the patent laws of the United States and, in particular under 35 U.S.C. §§ 271, *et seq.*

14. Defendant has knowledge of its infringement of the '221 Patent, at least as of the service of the present complaint.

15. The '221 Patent teaches a method and apparatus for media content storage and delivery. '221 Patent, Abstract. Among other things, the claimed system includes a server, which has a receiver in communication with a processor. *Id.* The receiver receives a request message. *Id.* The request message includes media data indicating requested media content and a consumer device identifier corresponding to a consumer device. *Id.* The processor determines whether the consumer device identifier corresponds to a registered consumer device. *Id.* If the processor determines that the consumer device identifier corresponds to the registered consumer device, then the processor determines whether the request message is one of a storage request message and a content request message. *Id.* If the request message is the storage request message, then the processor is further configured to determine whether the requested media content is available for storage. *Id.* If the request message is the content request message, then the processor initiates delivery of the requested media content to the consumer device. *Id.*

16. The present invention solves problems that existed with then-existing

1 media delivery systems. One problem with prior delivery systems is that the customer
2 was charged according to the expenses of the provider rather than the usage of the
3 customer. ‘221 Patent, 1:31-57. Customers were not charged based on the amount of
4 programming delivered or the amount or duration of the customer’s storage of media.
5 *Id.* Another such problem, more generally, is that customers were not billed and
6 services were not provided, in a way that was tailored to the customer’s needs and
7 usage. *Id.*, 2:3-13.

8 17. A number of aspects of the invention(s) embodied in the ‘221 Patent
9 overcome the problems with the prior art. For example, the inventive system includes
10 a processor in communication with a receiver. *Id.*, 2:23-34. The processor determines
11 media content characteristics that correspond to the media content to be stored. *Id.* The
12 processor determines a length of time to store the media content based on the media
13 data and determines a cost amount based at least in part on the determined media
14 content characteristics and length of time to store the media content. *Id.* As another
15 example, the system makes a determination that media content is available for
16 download. *Id.*, 2:64-3:2. A determination is made that content is not stored. Download
17 of the media content is initiated. *Id.* The media content is received and the received
18 media content is stored. *Id.*

19 18. The ‘221 Patent is directed to computerized technologies to provide users
20 with tailored media delivery systems and tailored billing for such systems. Among other
21 things, the ‘221 Patent claims include sending and receiving of request messages
22 indicating requested media content and including a device identifier corresponding to
23 a consumer device. A determination is made whether the identifier corresponds to the
24 device. A determination is also made as to whether the request is for delivery or
25 storage. The media data in the request includes time data that indicates a length of time
26 for storage. A processor is configured to determine whether requested media exists and
27 whether there are any restrictions associated with delivery or storage of the requested
28 media.

1 19. The system(s) and methods of the ‘221 Patent include software and
2 hardware that do not operate in a conventional manner. For example, the software is
3 tailored to provide functionality to perform recited steps and the processor is configured
4 (and/or programmed) to provide functionality recited throughout the claims of the ‘221
5 Patent.

6 20. The ‘221 Patent solves problems with the art that are rooted in computer
7 technology and that are associated with electronic transmission, loading, and storage of
8 location information, as well as automatic provisioning of route guidance. The ‘221
9 Patent claims do not merely recite the performance of some business practice known
10 from the pre-Internet world along with the requirement to perform it on the Internet.

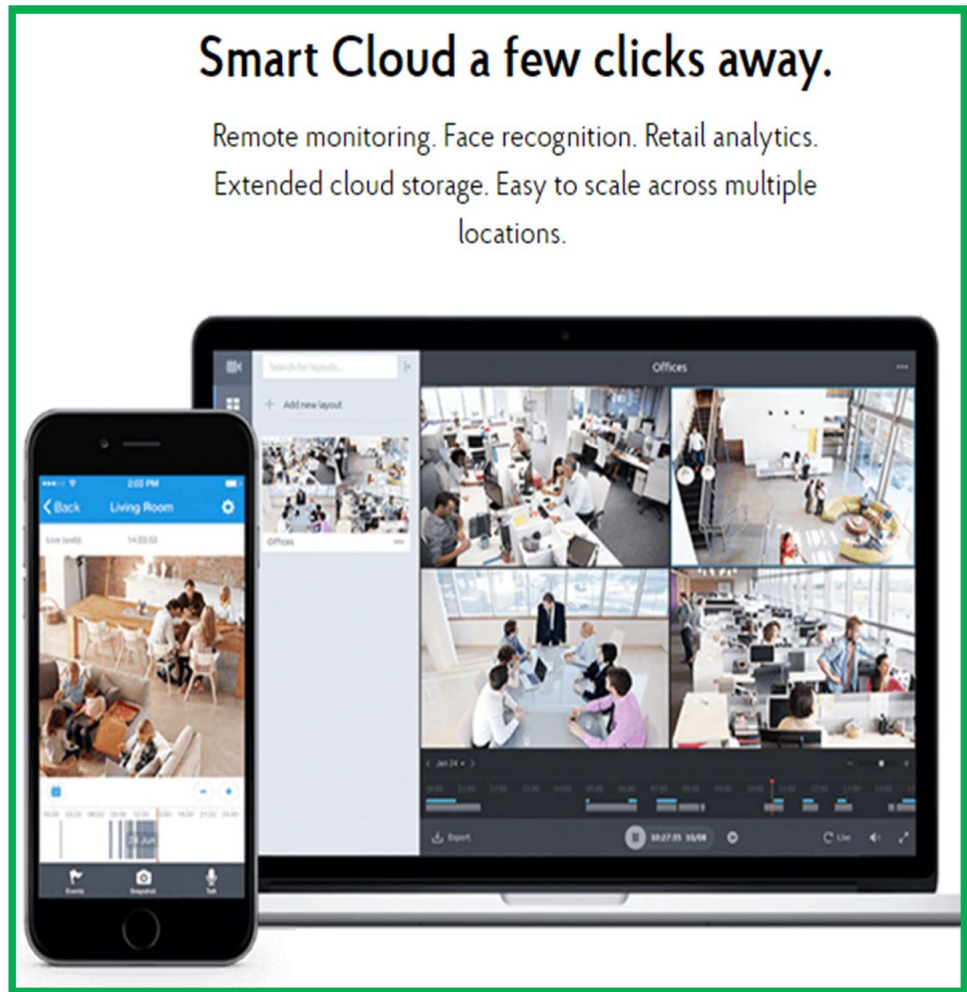
11 21. The improvements of the ‘221 Patent and the features recited in the claims
12 in the ‘221 Patent provide improvements to conventional hardware and software
13 systems and methods. The improvements render the claimed invention of the ‘221
14 Patent non-generic in view of conventional components.

15 22. The improvements of the ‘221 Patent and the features recitations in the
16 claims of the ‘221 Patent are not those that would be well-understood, routine, or
17 conventional to one of ordinary skill in the art at the time of the invention.

18 23. Accordingly, Defendant has infringed and continues to infringe, the ‘221
19 Patent in violation of 35 U.S.C. § 271. Upon information and belief, Defendant has
20 infringed and continues to infringe one or more claims, including at least Claim 7, of
21 the ‘221 Patent by making, using, importing, selling, and/or offering for media content
22 storage and delivery systems and services covered by one or more claims of the ‘221
23 Patent.

24 24. Defendant sells, offers to sell, and/or uses media content storage and
25 delivery systems and services, including, without limitation, the Oco cloud-based IP
26 security camera (e.g., cloud storage, recorded videos, etc.), any associated hardware,
27 software, and apps, as well as any similar products (“Product”), which infringe at least
28 Claim 7 of the ‘221 Patent.

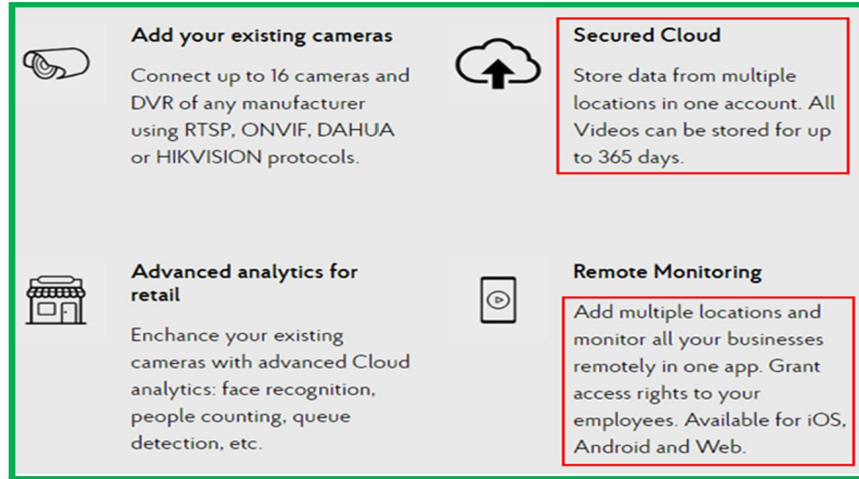
25. The Product practices a method of storing (e.g., cloud storage) media content (e.g., conference recording) and delivering requested media content (streaming video, recorded videos, etc.) to a consumer device (e.g., mobile device with app or software). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



Source: <https://getoco.com/>



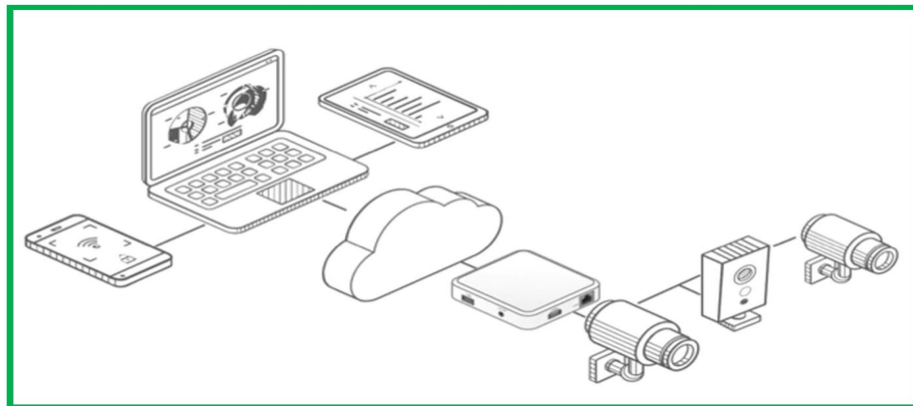
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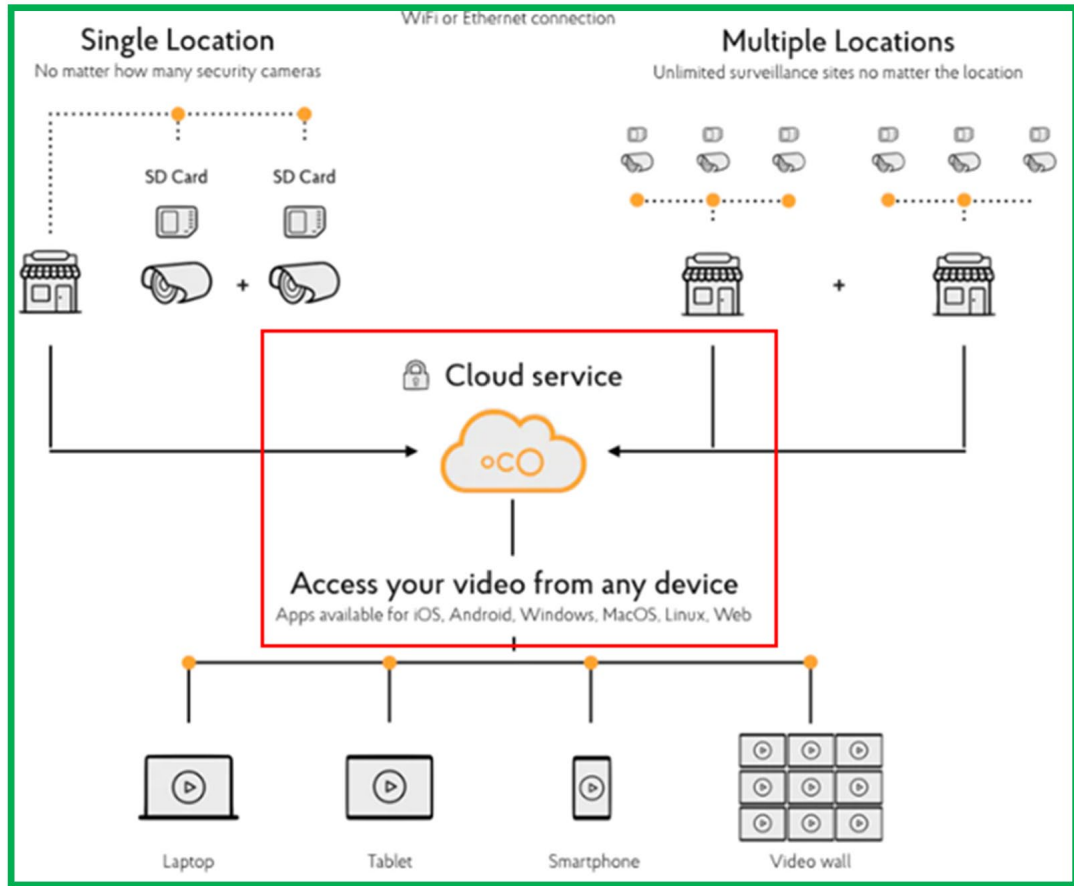
Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-bridge-connect-any-camera-to-cloud>

Meet Oco Pro Dome - weather and vandal proof outdoor camera with Micro SD Card and Cloud storage. Connect Oco Pro via Wi-Fi or Ethernet cable in no time and access Full HD video from anywhere with our App. Oco Pro can be installed outdoor and sustain extreme cold and heat. No monthly fees required to access all features like smart motion detection or night vision. Use both Cloud and local Micro SD Card storage and never worry about your internet connection going down. Oco Pro can be connected with other Oco cameras in one App.

Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-pro-dome-outdoor-camera-v2>



Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-bridge-connect-any-camera-to-cloud>

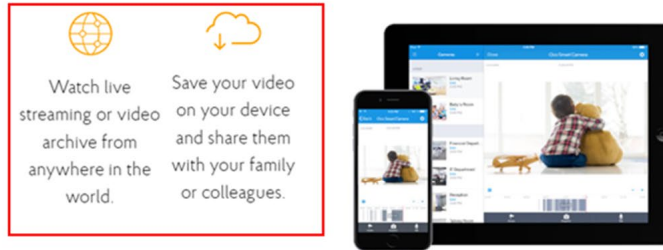


Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-pro-dome-outdoor-camera-v2>

26. The Product necessarily includes a receiver configured to receive a request message including data indicating requested media content (e.g., the Product must have the infrastructure to receive a request to store recorded media content or to stream recorded media content on a smartphone; additionally, the request message must contain data that identifies the content to be stored or streamed) and a consumer device identifier corresponding to a consumer device (e.g., the user credentials are used to access the contents of the Product). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

Access your video from anywhere

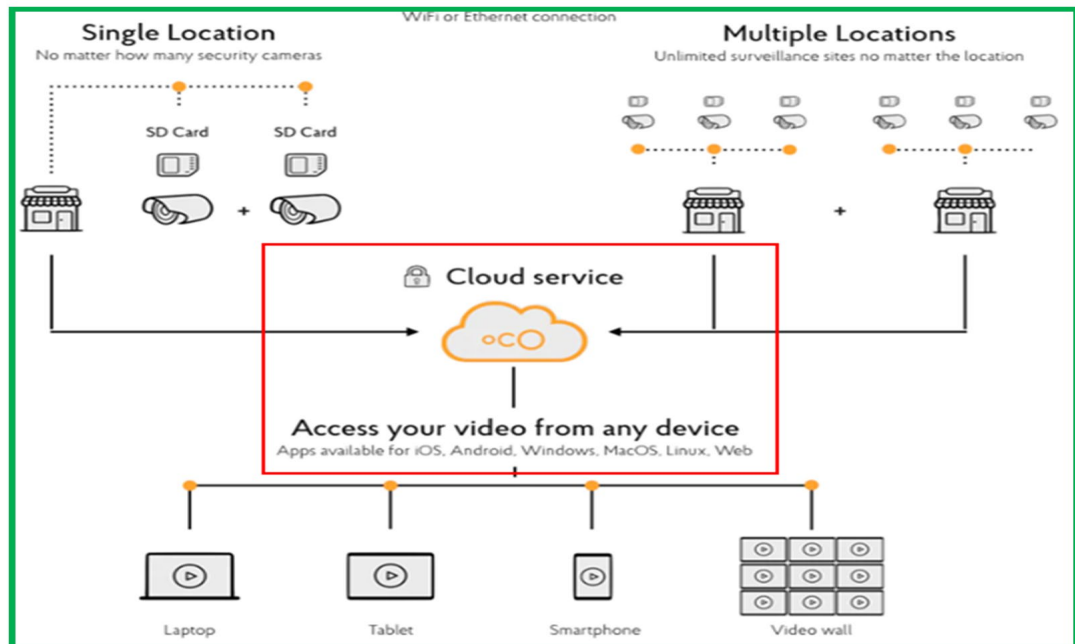
Watch live streaming or video archive from anywhere in the world.
Save your video on your device and share them with your family or colleagues.



Source: <https://getoco.com/pages/how-it-works#access-your-video-from-anywhere>

Meet Oco Pro Dome - weather and vandal proof outdoor camera with Micro SD Card and Cloud storage. Connect Oco Pro via Wi-Fi or Ethernet cable in no time and access Full HD video from anywhere with our App. Oco Pro can be installed outdoor and sustain extreme cold and heat. No monthly fees required to access all features like smart motion detection or night vision. Use both Cloud and local Micro SD Card storage and never worry about your internet connection going down. Oco Pro can be connected with other Oco cameras in one App.

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Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-pro-dome-outdoor-camera-v2>



Source: <https://getoco.com/pages/how-it-works#access-your-video-from-anywhere>

A screenshot of a sign-in page with a green border. The title is "Sign in" in a large, black, sans-serif font, with "Oco" in a smaller font below it. There are two input fields: "EMAIL ADDRESS" and "PASSWORD". Below the "PASSWORD" field, there is a checkbox labeled "Shared device" and a link "Forgot your password?". At the bottom, there is an orange button labeled "SIGN IN".

Source: <https://cloud.getoco.com/service/login>

27. The Product necessarily determines whether the consumer device identifier corresponds to the registered consumer device (e.g., a user must be a registered user to access the Product's services). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

Meet Oco Pro Dome - weather and vandal proof outdoor camera with Micro SD Card and Cloud storage. Connect Oco Pro via Wi-Fi or Ethernet cable in no time and access Full HD video from anywhere with our App. Oco Pro can be installed outdoor and sustain extreme cold and heat. No monthly fees required to access all features like smart motion detection or night vision. Use both Cloud and local Micro SD Card storage and never worry about your internet connection going down. Oco Pro can be connected with other Oco cameras in one App.

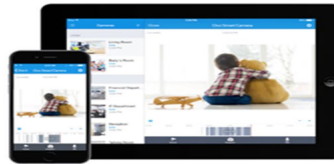
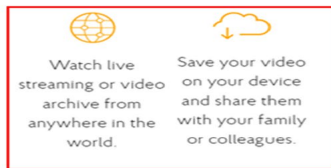
Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-pro-dome-outdoor-camera-v2>

Source: <https://cloud.getoco.com/service/login>

28. The Product provides for both media downloads and/or storage, and media streaming. After a successful login, the Product necessarily determines whether the request received from a customer is a request for storage (e.g., recording or storing content) or content (e.g., streaming of media content). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

Access your video from anywhere

Watch live streaming or video archive from anywhere in the world.
Save your video on your device and share them with your family or colleagues.



Source: <https://getoco.com/pages/how-it-works#access-your-video-from-anywhere>





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Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-pro-dome-outdoor-camera-v2>

Everything in one App

Add multiple locations and monitor all your cameras remotely in one app. Access analytics reports or see event videos - all in one click.

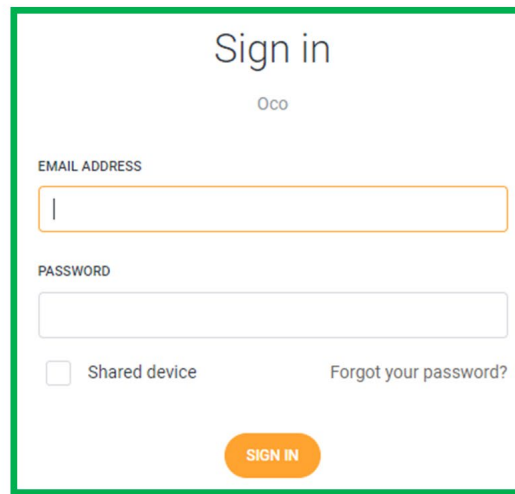
Source: <https://getoco.com/>

 <p>Add your existing cameras</p> <p>Connect up to 16 cameras and DVR of any manufacturer using RTSP, ONVIF, DAHUA or HIKVISION protocols.</p>	 <p>Secured Cloud</p> <p>Store data from multiple locations in one account. All Videos can be stored for up to 365 days.</p>
 <p>Advanced analytics for retail</p> <p>Enhance your existing cameras with advanced Cloud analytics: face recognition, people counting, queue detection, etc.</p>	 <p>Remote Monitoring</p> <p>Add multiple locations and monitor all your businesses remotely in one app. Grant access rights to your employees. Available for iOS, Android and Web.</p>

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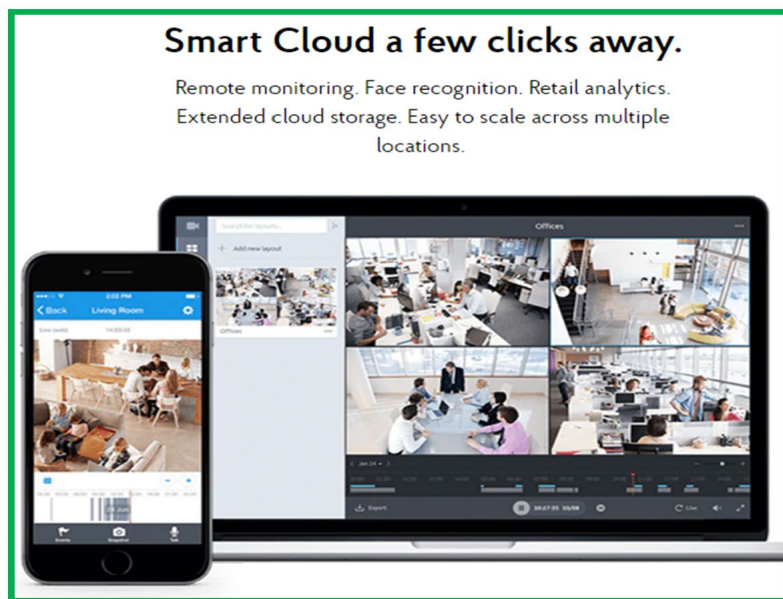


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Source: <https://cloud.getoco.com/service/login>

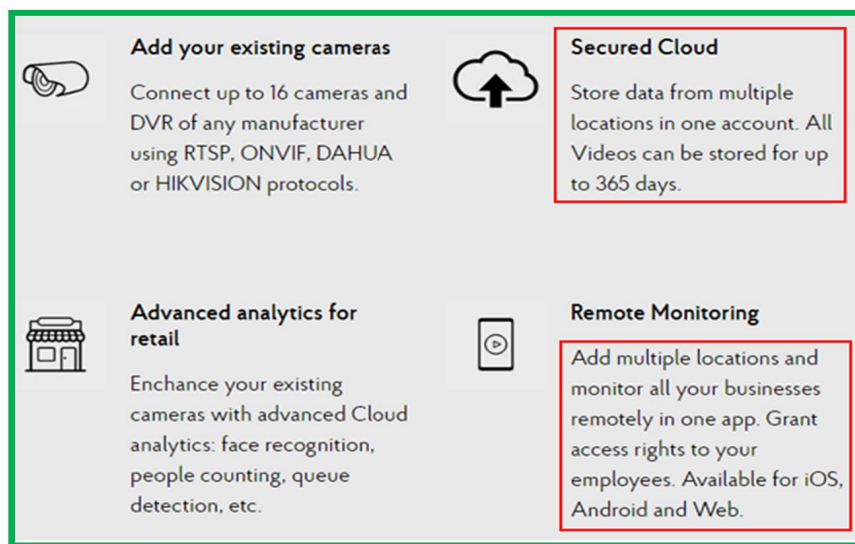
29. The Product verifies that media content identified in the media data of the storage request message (e.g., request to record content) is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage. The Product must verify that the media content (e.g. specific recording) identified in the media data of the storage request message is available for storage in order to prevent data errors that would result from attempting to store content that is not available for storage (e.g., the product must verify a user's ability to store media content is limited to a certain amount of memory and/or time). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.



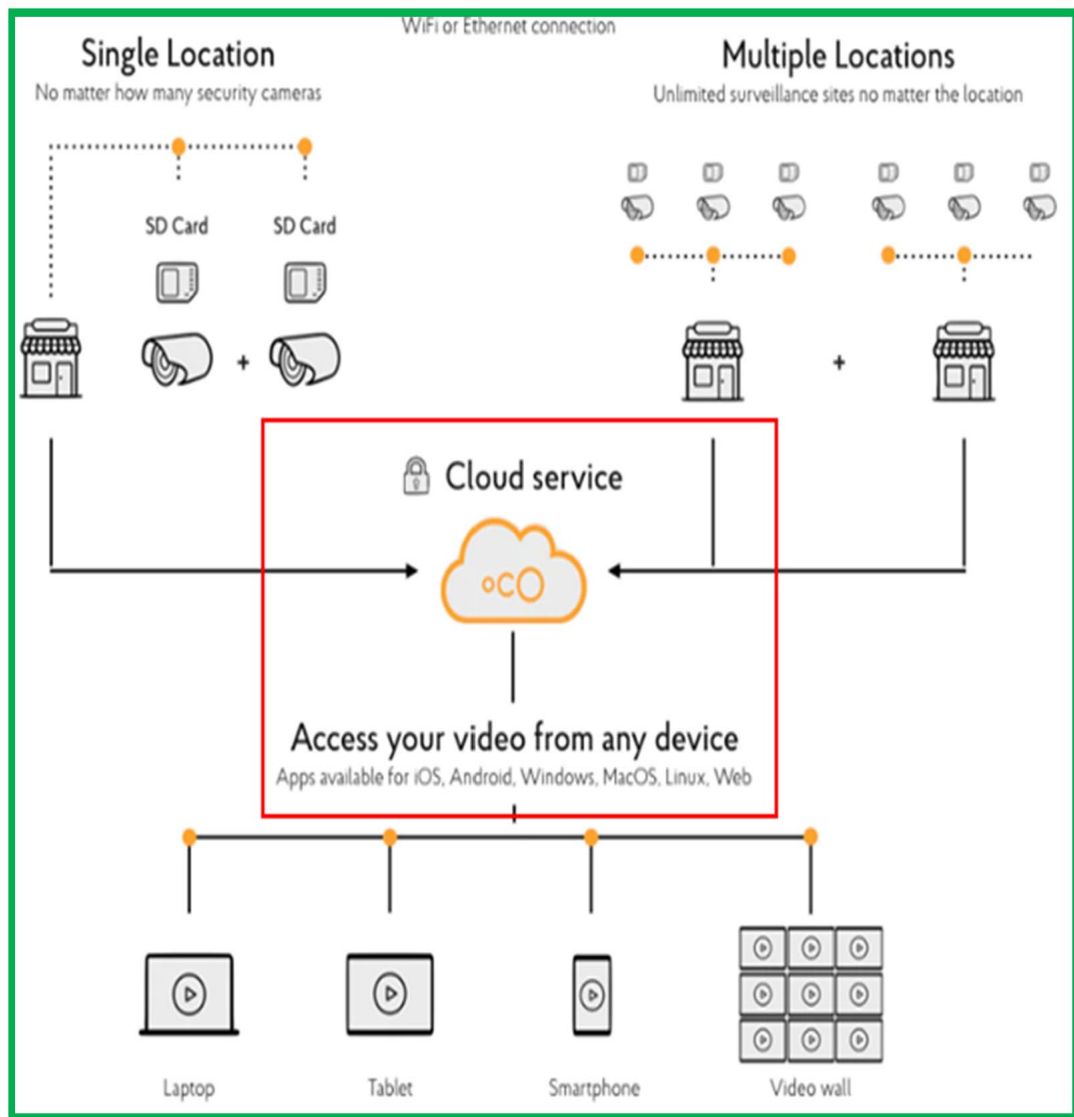
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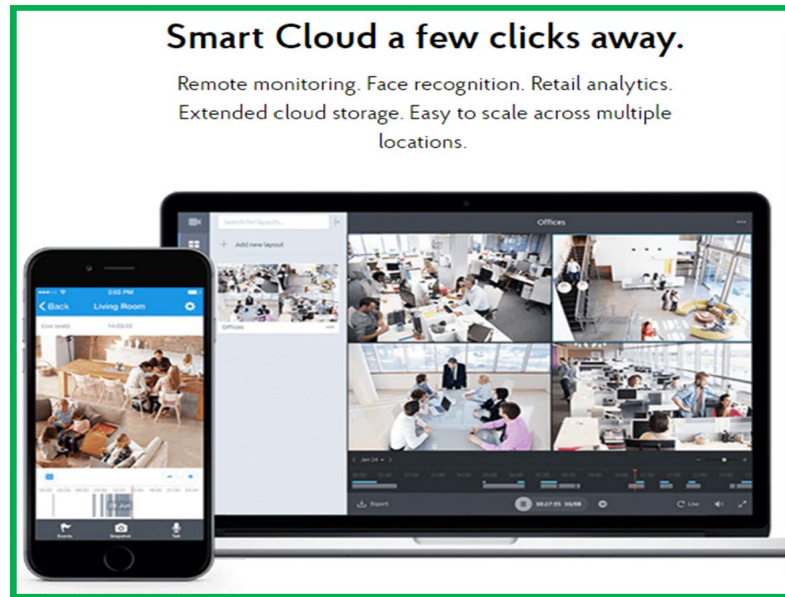


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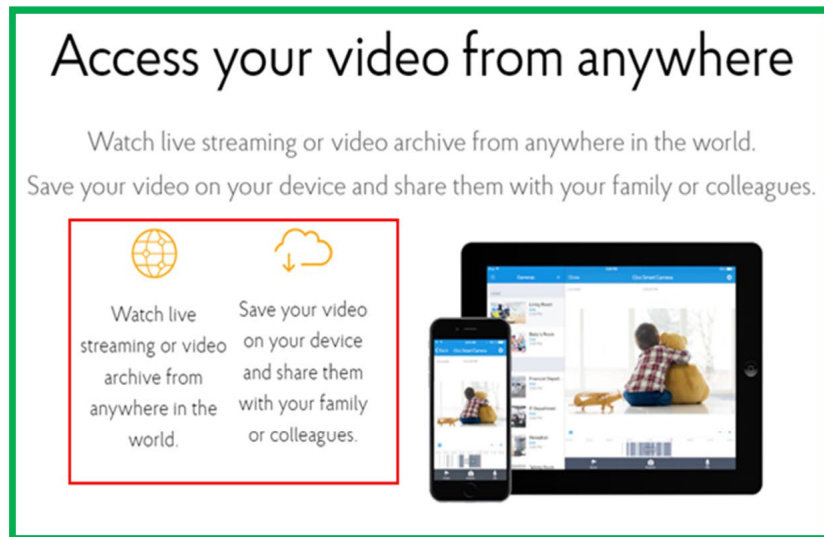


Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-pro-dome-outdoor-camera-v2>

30. If a customer requests content (e.g., live streaming of media content), then a processor within the Product necessarily initiates delivery of the content to the customer's device. The Product will initiate delivery of the requested media content to the consumer device (e.g., stream media content feed to a smartphone or tablet, etc.) if the request message is a content request message (e.g., request for live streaming). Certain aspects of these elements are illustrated in the screenshots below and/or in screenshots provided in connection with other allegations herein.



Source: <https://getoco.com/>



Source: <https://getoco.com/pages/how-it-works#access-your-video-from-anywhere>

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Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-pro-dome-outdoor-camera-v2>

31. The media data includes date and time information to identify conference start and stop times, as well as meeting length. Time data may also indicate a length of time to store the requested media content (e.g. a user is allowed to store media content for a retention period configured by the user per their subscription level). Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

	Cloud Simple	Cloud 10	Cloud 60
Cloud recording	10-seconds previews stored in the cloud for the past 5 days	Keep constant recordings or sound/motion triggered footage from your camera in Cloud for 10 days	Keep constant recordings or sound/motion triggered footage from your camera in Cloud for 60 days
Price	\$0 / month	\$8.99 / month \$89 / year	\$29.99 / month \$299 / year

Source: <https://getoco.com/pages/cloud-recording>

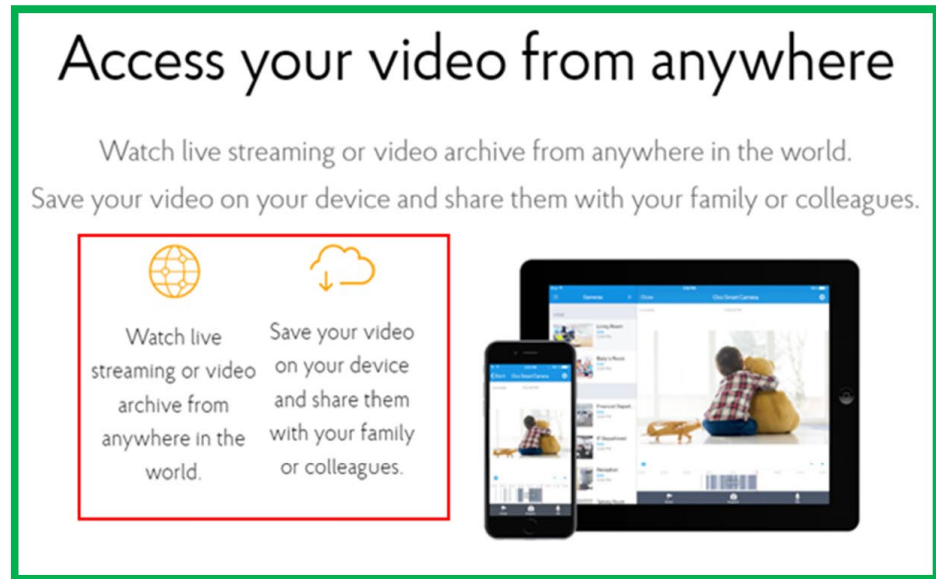
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Enhance your existing cameras with advanced Cloud analytics: face recognition, people counting, queue detection, etc.

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Source: <https://getoco.com/pages/how-it-works#access-your-video-from-anywhere>

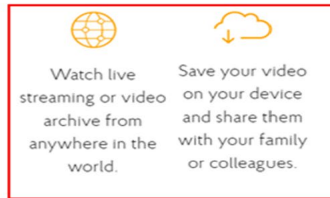
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Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-pro-dome-outdoor-camera-v2>

32. The Product must first determine whether the requested media content exists prior to initiating delivery in order to prevent data errors that would result from attempting to transmit media content that does not exist (e.g., the product must verify that a particular requested data is stored in the cloud). Also, a user can view the history of media content and the processor can identify the existence of that particular media content. Certain aspects of these elements are illustrated in the screenshots below and/or in those provided in connection with other allegations herein.

Access your video from anywhere

Watch live streaming or video archive from anywhere in the world.
Save your video on your device and share them with your family or colleagues.



Source: <https://getoco.com/pages/how-it-works#access-your-video-from-anywhere>





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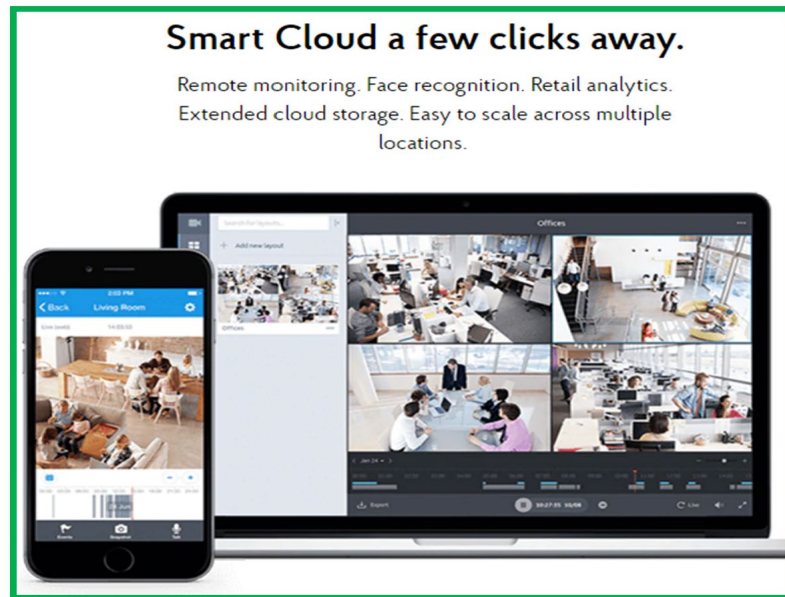
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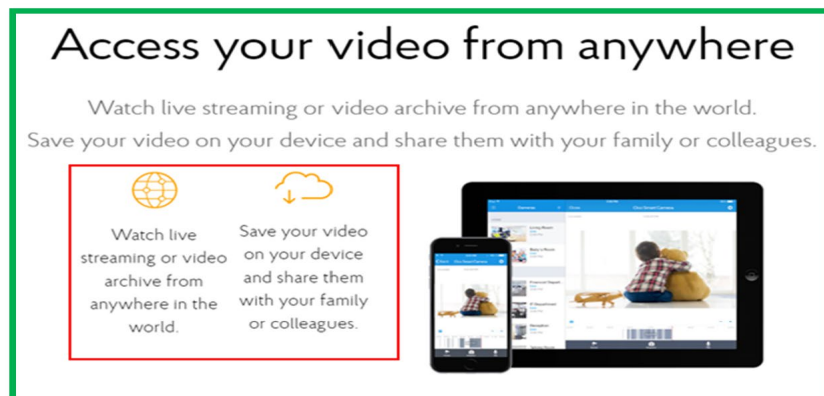
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Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-bridge-connect-any-camera-to-cloud>

33. After the processor determines whether the requested media content is available, it determines whether there are restrictions associated with the requested media content (e.g., user access restrictions, etc.). Certain aspects of these elements are illustrated in the screenshots below and/or those provided in connection with other allegations herein.



Source: <https://getoco.com/>



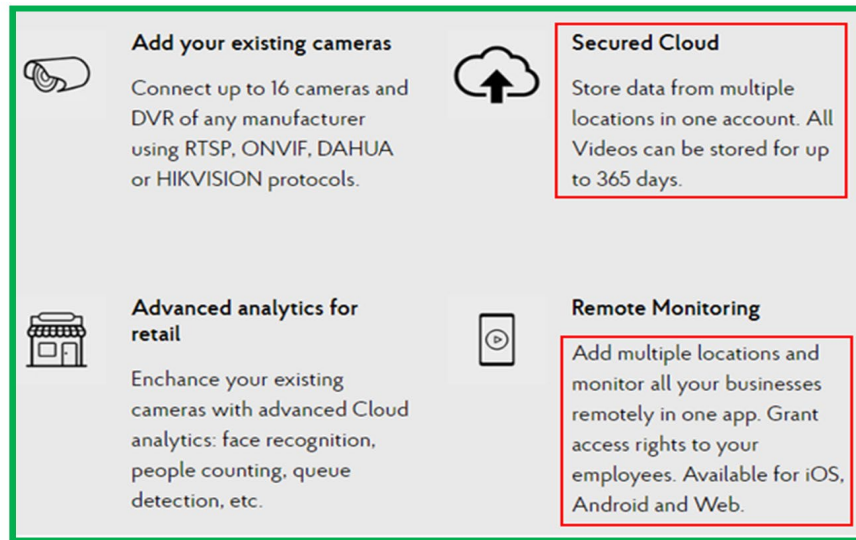
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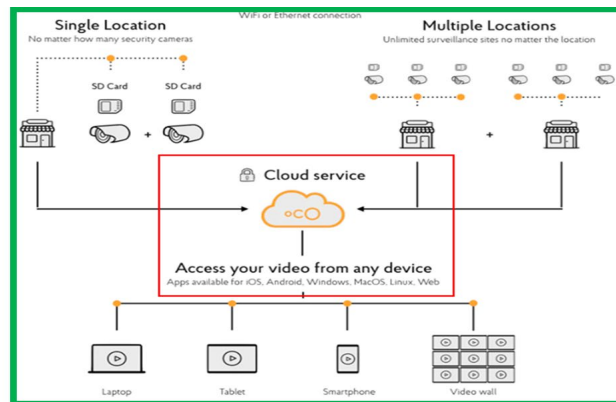
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Source: <https://getoco.com/collections/oco-outdoor-cameras/products/oco-bridge-connect-any-camera-to-cloud>



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Price	\$0 / month	\$8.99 / month \$89 / year	\$29.99 / month \$299 / year

Source: <https://getoco.com/pages/cloud-recording>

34. Defendant's actions complained of herein will continue unless Defendant is enjoined by this Court.

1 (b) Enter an Order enjoining Defendant, its agents, officers, servants,
2 employees, attorneys, and all persons in active concert or participation with Defendant
3 who receives notice of the order from further infringement of United States Patent No.
4 8,856,221 (or, in the alternative, awarding Plaintiff running royalty from the time
5 judgment going forward);

6 (c) Award Plaintiff damages resulting from Defendants infringement in
7 accordance with 35 U.S.C. § 284;

8 (d) Award Plaintiff such further relief to which the Court finds Plaintiff entitled
9 under law or equity.

10
11 Dated: May 27, 2022

Respectfully submitted,

12 /s/Stephen M. Lobbin
13 ***Attorney(s) for Plaintiff***
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